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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

RECEIVED**OCT 16 2000**

In the Matter of)
)
Implementation of 911 Act)
)
The Use of N11 Codes and Other)
Abbreviated Dialing Arrangements)

WT Docket No. 00-110

CC Docket No. 92-105

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

COMMENTS OF APCO

The Association of Public-Safety Communications Officials-International, Inc. ("APCO") hereby submits the following brief comments in response to the Commission's Fourth Report and Order and Third Notice of Proposed Rulemaking in CC Docket No. 92-105, and Notice of Proposed Rulemaking in WT Docket No. 00-110, FCC 00-327, released August 29, 2000 ("Notice").

APCO is the nation's oldest and largest public safety communications organization. Most of APCO's over 15,000 individual members are state or local government employees who manage and operate police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other communications systems that protect the safety of life, health and property. These systems include radio communication operations, telecommunications and information networks, and Public Safety Answering Points (PSAPs).

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The Commission is seeking comments regarding its implementation of the Wireless Communications and Public Safety Act of 1999,¹ which directs the FCC to designate 9-1-1 “as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance.” APCO supported that legislation and obviously favors its prompt implementation. The public has the expectation that they will be able to reach emergency services by dialing 9-1-1, regardless of where they are or the type of telephone being used. Fortunately, there are today relatively few areas of the nation where at least basic 9-1-1 service does not exist, though the exact number and location of these areas is uncertain. That uncertainty makes it difficult to devise strategies for reaching universal 9-1-1 service in compliance with the Congressional mandate. Wireline and wireless carriers may be in the best position to provide accurate information as to areas that are not served by 9-1-1, and the Commission should, therefore, consider requiring them to include such information in the periodic transition reports.

The Commission’s effort to encourage universal 9-1-1 service is also hindered by the statutory prohibition against requiring local governments to implement 9-1-1. Carriers can and should be required to do their part to make 9-1-1 possible but, as the Commission recognizes, that is of little benefit in the absence of a Public Safety Answering Point to route calls to the appropriate emergency response agency. APCO will do its part by continuing to work with NENA, NASNA, and other public safety organizations to “close the loop” by educating the relatively small number of local governments that have yet to implement 9-1-1.

¹ Pub. L. No. 106-81, enacted Oct. 26, 1999, 113 Stat. 1286, amending the Communications Act of 1934, 47 U.S.C. §§ 222, 251.

APCO also supports the Commission's conclusion that the statutory mandate does not prohibit the use of other numbers (such as 3-1-1 and *77) for "non-emergency" services. However, entities that implement such services should be encouraged to take steps to ensure that the public is educated regarding the distinction between emergency and non-emergency services.

The Commission seeks comments as to whether there are significant variations between 9-1-1 implementation for wireline and wireless carriers. One such factor is the requirement that wireless carriers purchase facilities from the Local Exchange Carrier (LEC) pursuant to interconnect tariffs when connecting to the 9-1-1 systems. At least some LECs have interpreted the rules to require separate facilities for 9-1-1. The result is a cost to the wireless carrier for facilities that may have many times the capacity necessary to serve the 9-1-1 system. Yet, in most cases the facilities already acquired by the wireless carrier for connection of their switching equipment to the PSTN have adequate capacity to permit a portion to be used for the E911 trunking at no additional cost. APCO suggests that the Commission explore this issue further to determine if rule changes may be appropriate.²

The second part of the Commission's Notice relates to its efforts to encourage and support deployment of comprehensive end-to-end emergency communications infrastructures and programs. APCO believes that all of the options presented by the Commission have merit, and APCO is prepared to join with NENA, NASNA, and other

² APCO does not suggest that 9-1-1 and non 9-1-1 traffic be intermixed on the same trunks. However, it may be appropriate in some instances for separate 9-1-1 and non 9-1-1 trunks to be provided on the same carrier facility, such as a T-1 line.

organizations to work with the Commission in that regard.³ However, since those efforts are unlikely to be in the form of rules, further development, refinement and discussion of specific activities is probably best accomplished outside of a formal notice and comment procedure such as this.

One proposed effort that does require brief comment is the suggestion that the Commission develop a "model" state plan. APCO supports that concept, but urges that it only be accomplished with the active participation of public safety interests. One possible mechanism for such an effort would be a task force or "advisory committee" (which may or may not fall within the provisions of the Federal Advisory Committee Act) consisting of representatives from all interested parties.

Finally, while the Commission defers discussion of PSAP access to customer proprietary network information (CPNI) and subscriber list issues, we take this opportunity to stress the critical importance of those issues. Access to this critical information has been a subject of disputes in some areas, and must be resolved consistent with statutory requirements as soon as possible. Access to caller information is essential for PSAPs to have timely and accurate information while establishing and maintaining wireless enhanced 9-1-1 systems, and to allow a successful outcome upon those occasions (often after hours) when a PSAP has only a caller's phone number and needs more information to facilitate a dispatch. Wireless carriers, like wireline, should have a 24x7 number to call to get subscriber information when urgently needed. As with

³ APCO notes that it has conducted a series of seminars on wireless E9-1-1, in which Commission personnel have been valuable participants. Similar sessions are being planned for 2001. In addition, APCO recently announced the creation of Project 38, a nationwide effort to assist PSAPs in their implementation of wireless E9-1-1.

wireline hang-ups, the most frequent need is to respond to a domestic dispute where the phone has been cut off by one of the combatants.


CONCLUSION

For the reasons set above and in the Notice, APCO urges the Commission to move forward in all aspects of its implementation of the Wireless Communications and Public Safety Act of 1999.

Respectfully submitted,

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October 16, 2000

Doc#48709